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09/938,922	08/24/2001	Michael A. Griffiths	36968/254718	3489

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EXAMINER

TAYLOR, BARRY W

ART UNIT	PAPER NUMBER
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2643

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DATE MAILED: 05/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/938,922

Applicant(s)

GRIFFITHS, MICHAEL A.

Examiner

Barry W Taylor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Specification

1. The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to preclude a reasonable search of the prior art by the examiner. For example, the following items are not understood: "U.S. Patent Application No. _____," "filed _____," as recited in Applicant's specification page 14 lines 11-12.

Applicant is required to submit an amendment, which clarifies the disclosure so that the examiner may make a proper comparison of the invention with the prior art.

Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

A shortened statutory period for reply to this action is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

Claim Objections

2. Claims 1-35 are objected to because of the following informalities: Claim numbers "[c01] – [c35]" should read claims 1-35. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11, 15-16 and 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al (6,058,170 hereinafter Jagadish).

Regarding claim 1. Kay teaches an intelligent switched telephone network (abstract) having a plurality of Advanced Intelligent Network (AIN) components (col. 2 lines 45-67, columns 3-7), a method for providing usage pattern for a customer of a telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern providing historical information concerning the customer's use of the telecommunications systems.

Kay does not explicitly show receiving a query from customer using a computer device whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract). Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3

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lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account, may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on the number of call minutes since the last bill, the total cost of the calls made on a particular day, or on each day, during the billing period, the total cost of calls made to each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish so that the customer may acquire summary information in real-time as taught by Jagadish.

Regarding claim 2. Kay teaches using Advanced Intelligent Network and Integrated Service Control Point (col. 2 line 45 – col. 3 line 30).

Regarding claim 3. Kay teaches usage pattern comprises at least the number of calls received by the customer (see figures 6A-6B wherein "Number of Calls" for incoming calls by day of week and time of day and figure 6C wherein "Number of Calls" received).

Regarding claim 4. Kay teaches usage pattern comprises at least telephone number of called party (see figure 3 and col. 5 lines 52-59).

Regarding claim 5. Kay teaches usage pattern comprises at least telephone number of calling party (see figure 3 and col. 5 lines 52-59).

Regarding claim 6. Kay teaches wherein acquiring information concerning at least date and time made by customer (see figure 3 and col. 5 lines 52-59).

Regarding claim 7. Kay teaches wherein acquiring information concerning the calling party (see figure 3 and "caller ID" column 5).

Regarding claim 8. Kay teaches wherein acquiring information concerning the identity of a calling party terminating the telephone call before the call is answered (see col. 2 lines 36-57, col. 3 lines 9-18, figure 3, col. 5 lines 14-67).

Regarding claim 9. Kay teaches wherein acquiring at least total number of calls made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure 6A).

Regarding claim 10. Kay teaches wherein acquiring at least total number of calls made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure 6A).

Regarding claim 11. Kay does not explicitly show using billing information.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract).

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Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3 lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account, may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on the number of call minutes since the last bill, the total cost of the calls made on a particular day, or on each day, during the billing period, the total cost of calls made to each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish so that the customer may acquire summary information in real-time as taught by Jagadish.

Regarding claim 15. Kay teaches an intelligent switched telephone network (abstract) having a plurality of Advanced Intelligent Network (AIN) components (col. 2 lines 45-67, columns 3-7), a method for providing usage pattern for a customer of a telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern providing historical information concerning the customer's use of the telecommunications systems.

Kay does not explicitly show receiving a query from customer using a device whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract). Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3 lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account,

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may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on the number of call minutes since the last bill, the total cost of the calls made on a particular day, or on each day, during the billing period, the total cost of calls made to each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the “ONLINE” terminal as taught by Jagadish so that the customer may acquire summary information in real-time as taught by Jagadish.

Regarding claim 16. Kay teaches using Advanced Intelligent Network and Integrated Service Control Point (col. 2 line 45 – col. 3 line 30).

Regarding claim 18. Kay teaches usage pattern comprises at least the number of calls received by the customer (see figures 6A-6B wherein “Number of Calls” for incoming calls by day of week and time of day and figure 6C wherein “Number of Calls” received).

Regarding claim 19. Kay teaches usage pattern comprises at least telephone number of called party (see figure 3 and col. 5 lines 52-59).

Regarding claim 20. Kay teaches usage pattern comprises at least telephone number of calling party (see figure 3 and col. 5 lines 52-59).

Regarding claim 21. Kay teaches wherein acquiring information concerning at least date and time made by customer (see figure 3 and col. 5 lines 52-59).

Regarding claim 22. Kay teaches wherein acquiring information concerning the calling party (see figure 3 and "caller ID" column 5).

Regarding claim 23. Kay teaches wherein acquiring information concerning the identity of a calling party terminating the telephone call before the call is answered (see col. 2 lines 36-57, col. 3 lines 9-18, figure 3, col. 5 lines 14-67).

Regarding claim 24. Kay teaches wherein acquiring at least total number of calls made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure 6A).

Regarding claim 25. Kay teaches wherein acquiring at least total number of calls made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure 6A).

Regarding claim 26. Kay does not explicitly show using billing information.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract). Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be

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noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3 lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account, may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on the number of call minutes since the last bill, the total cost of the calls made on a particular day, or on each day, during the billing period, the total cost of calls made to each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish so that the customer may acquire summary information in real-time as taught by Jagadish.

4. Claims 12 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al (6,058,170 hereinafter Jagadish) further in view of Hill (5,953,398).

Regarding claims 12 and 27. Kay does not explicitly show acquiring information concerning unused minutes.

Hill teaches prepaid long-distance telephone service (Title, abstract) wherein voice files are used to provide an announcement of remaining minutes or dollars to the user (col. 5 lines 38-45).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay in view of Jagadish to include prepaid long-distance information as taught by Hill so that the customer may acquire summary information in real-time with respect to prepaid dollars or minutes remaining on the account.

5. Claims 13, 17 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al (6,058,170 hereinafter Jagadish) further in view of Wang et al (6,161,134 hereinafter Wang).

Regarding claims 13 and 28. Kay does not explicitly show verifying an identity of the customer.

The Examiner notes that verifying an identity of the customer, as defined in claim 13, is an inherent and/or obvious measure to a person with minimum skill in the art.

Furthermore, Jagadish discloses "Online" access which would inherently and/or obviously include some "Online" security.

If not, Wang also discloses method, apparatus and communications system wherein call history information is provided to user (see figures 23 and 24) and using profiles to verify an identity of the customer, determine user access to long distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish including firewall protection as taught by Wang so that the customer may first be verified before allowing the customer to acquire summary information in real-time.

Regarding claim 17. Kay does not explicitly show receiving a query from a wireless customer.

Jagadish teaches wireless links (column 2).

Wang also discloses method, apparatus and communications system wherein call history information is provided to user (see wireless user figures 23 and 24, col. 10 lines 41-56) and using profiles to verify an identity of the customer, determine user access to long distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the

"ONLINE" terminal as taught by Jagadish including firewall protection as taught by Wang so that the customer may first be verified before allowing the customer to acquire summary information.

6. Claims 14 and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al (6,058,170 hereinafter Jagadish) further in view of Wang et al (6,161,134 hereinafter Wang) and Hill (5,953,398).

Regarding claims 14 and 29. Kay teaches an intelligent switched telephone network (abstract) having a plurality of Advanced Intelligent Network (AIN) components (col. 2 lines 45-67, columns 3-7), a method for providing usage pattern for a customer of a telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern providing historical information concerning the customer's use of the telecommunications systems.

Kay does not explicitly show receiving a query from customer using a computer device whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract). Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be

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noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3 lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account, may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on the number of call minutes since the last bill, the total cost of the calls made on a particular day, or on each day, during the billing period, the total cost of calls made to each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Kay does not explicitly show verifying an identity of the customer.

The Examiner notes that verifying an identity of the customer, as defined in claims 14 and 29, is an inherent and/or obvious measure to a person with minimum skill in the art. Furthermore, Jagadish discloses "Online" access which would inherently and/or obviously include some "Online" security.

If not, Wang also discloses method, apparatus and communications system wherein call history information is provided to user (see figures 23 and 24) and using profiles to verify an identity of the customer, determine user access to long distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Kay does not explicitly show acquiring information concerning unused minutes.

Hill teaches prepaid long-distance telephone service (Title, abstract) wherein voice files are used to provide an announcement of remaining minutes or dollars to the user (col. 5 lines 38-45).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish including firewall protection as taught by Wang so that the customer may first be verified before allowing the customer to acquire summary information including prepaid long-distance information as taught by Hill in real-time.

Regarding claims 30 and 34-35. Kay teaches an intelligent switched telephone network (abstract) having a plurality of Advanced Intelligent Network (AIN) components (col. 2 lines 45-67, columns 3-7), a method for providing usage pattern for a customer of a telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern providing historical information concerning the customer's use of the telecommunications systems.

Kay does not explicitly show receiving a query from customer using a computer device whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract). Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3 lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account, may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on the number of call minutes since the last bill, the total cost of the calls made on a

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particular day, or on each day, during the billing period, the total cost of calls made to each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Wang also discloses method, apparatus and communications system wherein call history information is provided to user (see figures 23 and 24, col. 10 lines 41-56) and using profiles to verify an identity of the customer, determine user access to long distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Kay does not explicitly show acquiring information concerning unused minutes.

Hill teaches prepaid long-distance telephone service (Title, abstract) wherein voice files are used to provide an announcement of remaining minutes or dollars to the user (col. 5 lines 38-45).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish including firewall protection as taught by Wang so that the customer may first be verified before allowing the customer to acquire summary information including prepaid long-distance information as taught by Hill in real-time.

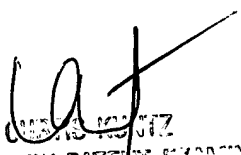
Regarding claims 31 and 33. Wang teaches displaying usage pattern (see figures 23 and 24, col. 10 lines 41-56, columns 19-20).

Regarding claim 32. Wang teaches wireless (**see wireless user figures 23 and 24, col. 10 lines 41-56**).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600